

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CORNELIUS CLARK, et al.,

No. C-05-2670 MMC

v.

**ORDER GRANTING PLAINTIFFS'
REQUEST TO FILE SETTLEMENT
AGREEMENT UNDER SEAL; SETTING
BRIEFING SCHEDULE ON PLAINTIFFS'
MOTION TO DISMISS; VACATING MAY
1, 2009 HEARING; VACATING CASE
MANAGEMENT CONFERENCE**

ANNA'S LINENS, INC.,

Defendant

Before the Court is plaintiffs' "Motion to Dismiss Plaintiffs Cornelius Clark's, Chester Lewis', John Ponds', and Garrant Cosey's Individual Claims with Prejudice, and Class Claims without Prejudice," filed March 17, 2009.

Having read and considered the motion, the Court finds the matter appropriate for determination on shortened time, and rules as follows:


1. Plaintiffs' request that they be permitted to file under seal a copy of the Confidential Settlement Agreement and Release is hereby GRANTED; plaintiffs shall file said copy no later than March 26, 2009.
2. No later than March 26, 2009, defendant shall file an opposition or statement of non-opposition to the motion to dismiss.
3. Any reply shall be filed no later than March 31, 2009 at 4:00 p.m.
4. The May 1, 2009 hearing is hereby VACATED, and, unless otherwise ordered,

1 the matter will be determined on the parties' respective submissions.

2 In the light of the pendency of plaintiffs' motion to dismiss, the Case Management
3 Conference scheduled for March 27, 2009 is VACATED, and will be reset, if necessary,
4 after resolution of plaintiffs' motion to dismiss.

5 **IT IS SO ORDERED.**

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7 Dated: March 19, 2009

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9 MAXINE M. CHESNEY
10 United States District Judge
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